

**STATE OF NEW JERSEY
DIVISION OF CONSUMER AFFAIRS
BOARD OF CHIROPRACTIC EXAMINERS
124 HALSEY STREET
NEWARK, NEW JERSEY
PUBLIC SESSION MINUTES
THURSDAY, JULY 23, 2015**

A meeting of the New Jersey Board of Chiropractic Examiners was held on July 23, 2015 at the State Office Building, 124 Halsey Street, 7th floor, Newark, New Jersey in the Somerset Conference Room on the 6th floor. The meeting was convened in accordance with the provisions of the Open Public Meetings Act with previous notification having been sent to the Secretary of State and the following publications: The Record, Newark Star Ledger, Camden Courier Post, Trenton Times and Asbury Park Press to advise of the scheduling of this meeting. The meeting was called to order by David Allen, D.C., President of the Board, at 9:45 A.M. A roll call was taken and the following attendance was recorded and a quorum was present:

David A. Allen, D.C.	Present
Rosemary Calio, BSN, RN, D.C.	Present
Paul Lyons, D.C.	Present
Lawrence O'Connor, D.C.	Present
Thomas A. Senatore, Sr., D.C.	Present
Albert Stabile, Jr., D.C.	Present
John Traier	Absent
Brett A. Wartenberg, D.C.	Present
James L. Winters, D.C.	Present

Also present were: **Virginia Class-Matthews, Deputy Attorney General; Lisa Tadeo, Executive Director; and Tracy Steel, Board Staff.**

I. APPROVAL OF THE PUBLIC SESSION MINUTES OF JUNE 25, 2015

A motion was made by Dr. O'Connor, which was seconded by Dr. Stabile, to approve the public session minutes from the June 25, 2015 Board meeting as amended. A vote was taken and the motion passed with all members voting in favor.

**II. Hearing
In the Matter of Joseph C. Kushman, D.C.**

This matter has been postponed until September 17, 2015. An Interim Consent Order was filed on July 23, 2015. Dr. Kushman agreed to cease and desist from the practice of chiropractic in the State of New Jersey until this matter is heard on September 17, 2015.

III. CONTINUING EDUCATION COMMITTEE

The continuing education committee reviewed 59 courses submitted by continuing education sponsors. The committee recommended that 53 courses be approved based on the information submitted for these courses. The committee identified 4 courses where sponsor will be requested to provide additional information. A motion was made by Dr. Calio and seconded by Dr. Winters, to approve the 53 courses as recommended by the committee. A vote was taken and motion passed with all members present voting in favor.

- A. Dr. John Nosti
Course - The Professional's Role in Nutritional Counseling

A motion was made by Dr. Calio and seconded by Dr. O'Connor to approve the course, "The Professional's Role in Nutritional Counseling" as Dr. Nosti provided information concerning the speaker's background in nutrition. A vote was taken and the motion passed with all member present voting in favor.

IV. NEW BUSINESS

Upon a motion made by Dr. O'Connor, which was seconded by Dr. Stabile, the Board voted to go into Executive Session to review and discuss applications for licensure and reinstatement. The motion carried by a unanimous vote. The Board returned to public session to continue the meeting and vote on the applications for licensure and reinstatement.

- A. Application for Reinstatement

- 1. Bryan Bajakian, D.C.

A motion was made by Dr. O'Connor, which was seconded by Dr. Stabile, to inform Dr. Bajakian that the Board did not approve his application for reinstatement. A vote was taken and the motion passed with all members present voting in favor.

- 2. Allan Laird, D.C.

A motion was made by Dr. O'Connor, which was seconded by Dr. Calio, to approve Dr. Laird's application for reinstatement. A vote was taken and the motion passed with all members present voting in favor.

- 3. John P. Nickelston, D.C.

A motion was made by Dr. O'Connor, which was seconded by Dr. Calio, to approve Dr. Nickelston's application for reinstatement. A vote was taken and the motion passed with all members present voting in favor.

4. Sun Yung Roh, D.C.

A motion was made by Dr. O'Connor, which was seconded by Dr. Calio, to approve Dr. Roh's application for reinstatement. A vote was taken and the motion passed with all members present voting in favor.

5. Randolph Russo, D.C.

A motion was made by Dr. O'Connor, which was seconded by Dr. Calio, to approve Dr. Russo's application for reinstatement. A vote was taken and the motion passed with all members present voting in favor.

B. Application for Chiropractic Licensure

1. Mark Yaiser, D.C.

A motion was made by Dr. O'Connor, which was seconded by Dr. Calio, to request that Dr. Yaiser appear before the Board to discuss his application for licensure. A vote was taken and the motion passed with all members present voting in favor.

2. Heskell Khozouri-Zadeh, D.C.

A motion was made by Dr. O'Connor, which was seconded by Dr. Calio, to approve Dr. Khozouri-Zadeh's application for licensure. A vote was taken and the motion passed with all members present voting in favor.

3. Sungsik Kim, D.C.

A motion was made by Dr. O'Connor, which was seconded by Dr. Calio, to approve Dr. Kim's application for licensure. A vote was taken and the motion passed with all members present voting in favor.

4. Asher Leeder, D.C. (Endorsement)

A motion was made by Dr. O'Connor, which was seconded by Dr. Calio, to approve Dr. Leeder's application for licensure. A vote was taken and the motion passed with all members present voting in favor.

- C. Inquiry from Robert J. Reinhardt, D.C.
RE: Scope of Practice

Dr. Reinhardt inquired about the purchase of vitamin supplements from a vendor and the sale of the vitamin supplements to patients and if there are any financial arrangements that are not permitted.

The Board will inform Dr. Reinhardt that may wish to seek private legal advice.

- D. Inquiry from Alan Stern, D.C.
RE: Continuing Education

Dr. Stern inquired whether the Board would allow him to apply credits for his time spent as an instructor at Middlesex County College towards the continuing education requirement.

A motion was made by Dr. O'Connor, which was seconded by Dr. Stabile to advise Dr. Stern that the Board denied his request. The Board will not grant continuing education credit for basic courses. Continuing education credit will only be granted for post-doctoral courses designed to build upon basic knowledge and/or to bring licensees up-to-date on new developments related to the practice of chiropractic. A vote was taken and the motion passed with all members present voting in favor.

- E. Inquiry from Sara Tadros, D.C.
RE: Continuing Education

Dr. Tadros asked the Board to grant her a waiver of the continuing education requirement due to her financial hardship. Dr. Tadros informed the Board that she thought she was allowed to carry over 22 credits that she completed from the previous biennial renewal period.

A motion was made by Dr. O'Connor, which was seconded by Dr. Stabile to advise Dr. Tadros that the Board denied her waiver request. Pursuant to N.J.A.C.13:44E-1A.5(r), financial hardship does not fall within the confines of the regulation. Dr. Tadros will need to satisfy the continuing education requirement. Also be advised that seven excess credits approved for a biennial period may be applied to the continuing education requirement for the next period. A vote was taken and the motion passed with all members present voting in favor.

- F. Inquiry from Rosalind Canham, D.C.
RE: Chiropractic Assistant Training

The Board reviewed an inquiry from Dr. Canham regarding courses in Chiropractic Assistant Training and considered this to be informational.

- G. Inquiry from Bruce Khan, D.C.
RE: Continuing Education

Dr. Khan inquired whether the Board would allow him to apply credits for his time spent as an instructor at the County College of Morris towards the continuing education requirement.

A motion was made by Dr. O'Connor, which was seconded by Dr. Stabile to advise Dr. Khan that the Board denied his request. The Board will not grant continuing education credit for basic courses. Continuing education credit will only be granted for post-doctoral courses designed to build upon basic knowledge and/or to bring licensees up-to-date on new developments related to the practice of chiropractic. A vote was taken and the motion passed with all members present voting in favor.

- H. Discussion with Elizabeth Greenblatt, Regulatory Analyst
RE: Subchapter 5. Abandonment of Application

Ms. Greenblatt discussed with the Board a draft regulation which will be under the Uniform Enforcement Act that addresses the administrative closure of applications that have had no activity for a substantial period of time.

- I. Answer to Complaint filed February 4, 2015
RE: Charles Boas, D.C.

The Board reviewed the Answer in the matter of Charles Boas, D.C. A motion was made by Dr. Calio and seconded by Dr. Wartenberg to schedule this matter for a future Board meeting. A vote was taken and the motion passed with all members present voting in favor.

V. OLD BUSINESS

- A. Application for Reinstatement

- 1. Nicholas J. Sottiriou, D.C.

Mark S. Rothman, Esq. wrote the Board on behalf of Dr. Sottiriou and requested an appearance before the Board regarding the denial of Dr. Sottiriou's application for reinstatement.

A motion was made by Dr. O'Connor, which was seconded by Dr. Stabile, to inform Mr. Rothman that the Board denied Dr. Sottiriou's request for an appearance before the Board. A vote was taken and the motion passed with all members present voting in favor.

- B. Board Discussion
RE: Percutaneous Electrical Nerve Stimulation
(P.E.N.S)

A motion was made by Dr. Calio and seconded by Dr. Stabile to discuss this matter with Regulatory Analyst, Elizabeth Greenblatt at a future meeting. Dr. O'Connor opposed while all others voted in favor. The motion passed by a majority vote.

VI. FEDERATION OF CHIROPRACTIC LICENSING BOARDS (FCLB)

Dr. O'Connor provided the Board with a verbal update on FCLB activities.

VII. INFORMATIONAL

- 1. National Board of Chiropractic Examiners
RE: District III Newsletter

The Board reviewed the District III Newsletter and considered it to be informational.

- 2. Consent Order Filed July 7, 2015
RE: Howard Zevin, D.C.

The Board reviewed the Consent Order Filed July 7, 2015 in the matter of Howard Zevin, D.C. and considered this to be informational.

ADJOURNMENT

The Board returned to Public Session and a motion was made by Dr. Stabile which was seconded by Dr. Senatore to adjourn the meeting at 2:30 P.M. A vote was taken and the motion passed with all members present voting in favor.

Respectfully submitted,

Lisa Tadeo
Executive Director